



August 17, 2012

VIA ECF

Honorable Lois H. Goodman, U.S.M.J.
U.S. District Court for the District of New Jersey
Clarkson S. Fisher Federal Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: Orexo AB v. Mylan Pharmaceuticals Inc., et al.
Civil Action No. 11-3788 (MAS) (LHG)

John E. Flaherty
Partner
T. 973.639.7903
F. 973.297.3971
jflaherty@mccarter.com

Dear Judge Goodman:

Our firm, along with our co-counsel Milbank, Tweed, Hadley & McCloy LLP, represents Plaintiff Orexo AB in the above-referenced matter. We write to request the Court's permission to wait for the Court's guidance on the pending motions for clarification before the Parties exchange additional evidence. On August 9, 2012, both Orexo and Defendants Mylan Inc. and Mylan Pharmaceuticals Inc. (collectively, "Mylan") submitted papers seeking clarification of the Court's directions made during the August 1, 2012 telephone conference. See Dkt. Nos. 80-83. Since the request for clarification directly addresses what will and will not be permissible in the exchange scheduled for today, and will impact what may be included in today's exchange and how supplemental evidence and information relating to claim construction is to be addressed going forward, Orexo believes that it is important to have the Court's guidance regarding the Parties' requests for clarification before exchanging additional evidence. Mylan does not agree to Orexo's request.

If the Court finds Orexo's request acceptable, we respectfully request that a notice be posted to the docket.

Respectfully,

s/John E. Flaherty

John E. Flaherty

cc: All Counsel (via email)

Enclosure

BOSTON

HARTFORD

NEW YORK

NEWARK

PHILADELPHIA

STAMFORD

WILMINGTON

McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4056
T. 973.622.4444
F. 973.624.7070
www.mccarter.com